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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,320	10/03/2002	Tomislav J. Stimac	GLOZ200092	9309

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EXAMINER

A, MINH D

ART UNIT PAPER NUMBER

2821

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/065,320

Applicant(s)

STIMAC ET AL.

Examiner

Minh D A

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 12-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 2, the phrase "the second electronics module further including second electrical conditioning circuitry for electrically coupling the input electrical interface to the output coupler; wherein each of the electronics module and the second electronics module are selectably detachably attachable to the optical module for selectably adapting the optical module to one of the input electrical power and the second input electrical power" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention or it is not clear or show in specification or any figures of invention. See MPEP § 2173.05(d).

Regarding claims 12-13, the phrase "an input electrical interface adapted to operatively connect to the associated electrical power supply to receive input electrical power; a second coupling element adapted to cooperate with the first coupling element to selectively detachably connect the optical module and the apparatus together, the second coupling element adapted to electrically connect with the first coupling element to transmit conditioned electrical power to the first coupling element; and electrical conditioning circuitry connecting the input electrical interface with the second coupling

Art Unit: 2821

element that converts the input electrical power at the input electrical interface to conditioned electrical power at the second coupling element" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5, 7-15 are rejected with the best understood under 35 U.S.C. 102(b) as being unpatentable by Roller (US 6,414,801).

Regarding claim 1, Roller discloses a lamp (10) comprising: an optical module including a plurality of LEDs (41) for emitting light and a heat sink (70) thermally coupled to the LEDs (41), the heat sink (70) having an electrical conduit (50) for transmitting conditioned electrical power to the LEDs (41) and an electronics module (21) including an input electrical interface adapted to receive input electrical power and an output coupler rigidly attaching to the optical module for delivering conditioned electrical power to the electrical conduit (50), the electronics module (21) further including electrical conditioning circuitry for electrically coupling the input electrical interface to the output coupler. See figures 2-5, col.8, lines 29-67 to col.9, lines 1-6.

Regarding claim 3, Roller discloses a circuit board (20) in thermal contact with

Art Unit: 2821

the heat sink (70) and on which the plurality of LEDs (41) are arranged, the circuit board (20) including electrical traces for electrically interconnecting the LEDs (41). See figures 2-5.

Regarding claim 5, Roller discloses the electronics module (21) further includes: an electronic controller for controlling at least an LED intensity. See figures 2-5.

Regarding claims 7-9, Roller discloses the plurality of LEDs (41) can be any colors and the electronics module (21) further includes: a controller for selectively controlling electrical power applied to the first, second, and third LED to effectuate color control. See col.3, lines 29-67.

Regarding claim 10, Roller discloses the optical system includes a plurality of lenses (101) corresponding to the plurality of LEDs (41). See figures 1-5.

Regarding claim 11, Roller discloses the output coupler of the electronics module is adapted to thermally communicate with the heat sink of the optical module. See figure 2.

Regarding claim 14, Roller discloses a light emitting apparatus comprising: a heat sink (70) having a first side, a second side, and a conduit (50) connecting the first side and the second side, wherein the second side is adapted to connect with any one of an associated plurality of electrical adaptors each adapted to convert a selected electrical input power to a conditioned output electrical power; and a plurality of light emitting diodes (41) disposed at the first side of the heat sink(70) and in thermal communication therewith, the light emitting diodes (70) receiving the conditioned electrical power from the selected adaptor via the conduit(50). See figures 2-5, col.8,

lines 29-67 to col.9, lines 1-6.

Regarding claim 15, Roller discloses a pc board (200 on which the plurality of light emitting diodes (41) are arranged, the pc board (20) disposed at the first side of the heat sink (70) and in thermal communication therewith. See figure 2.

Regarding claims 17-18, Roller discloses the second side of the heat sink (70) is adapted to detachably connect with any one of the associated plurality of electrical adaptors and the heat sink (70) thermally communicates with the associated electrical adaptor connected at the second side to provide heat sink for the adaptor. See figure 2.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 19-21 are rejected under 35 U.S.C. 102(e) as being unpatentable by Sommers et al (US 2003/0117797 A1).

Regarding claim 19, Sommers discloses a retro-fitting a lamp fixture configured to receive an MR- or PAR-type lamp in an electrical receptacle with an LED-based lamp, the method comprising: selecting an LED-based lamp conforming at least to a diameter of the MR- or PAR-type lamp; selecting a connector module conforming with the electrical receptacle of the lamp fixture; and mechanically joining the selected LED-based lamp and the selected connector module to form an LED-based retro-fit unit, the mechanical joining effectuating electrical connection therebetween. See figures 1-8D, page 2, lines [0023] to [0026] – page 4, lines [0043] to [0049].

Regarding claims 20-21, Sommers discloses the LED-based retro-fit unit in the lamp fixture, the installing including connecting the connector module to the electrical receptacle of the lamp fixture and wherein the mechanical joining includes: detachably attaching the selected LED-based lamp and the selected connector module to form the LED-based retro-fit unit. See figures 1-8D.

Regarding claim 22, Sommers discloses a lamp comprising: an optics module having: a plurality of LEDs arranged on a printed circuit board, and a heat sink having an electrical conduit for conveying electrical power through the heat sink, the plurality of LEDs thermally communicating with the heat sink; and an electronics module adapted to convey power to the plurality of LEDs via the electrical conduit of the heat sink, the electronics module having a first end adapted to connect with the heat sink and a selected electrical connector arranged on a second end for receiving electrical power, the electronics module housing circuitry arranged within for adapting the received electrical power to drive the LEDs. See figures 1-8D, page 2, lines [0023] to [0026] –

Art Unit: 2821

page 4, lines [0043] to [0049].

Regarding claims 23-26, Sommer the optics module further includes: a lens system comprising at least one lens arranged to receive light generated by the LEDs for modifying a characteristic of the light and the lens system further includes: an adjustment: for selectively adjusting a separation between the at least one lens and the plurality of LEDs and the optics module further includes: a thermal tape disposed between the printed circuit board and the heat sink for providing thermal contact therebetween and the heat sink thermally communicates with the electronics module to heat sink the electronics module. See figures 1-8D, page 2, lines [0023] to [0026] – page 4, lines [0043] to [0049].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4, 6, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Roller (US 6,414,801).

Regarding claims 4, 6, 16, Roller discloses the claimed invention except for Edison-type base and a GU-type base or a DMX network protocol controller or a CAN network protocol controller or a PDA network protocol controller or thermal tape bonding. It would have been obvious to one having ordinary skill in the art at the time

Art Unit: 2821

the invention was made to employ an Edison-type base and a GU-type base or a DMX network protocol controller or a CAN network protocol controller or a PDA network protocol controller or thermal tape bonding, since it has been held to be within the general skill of a worker in the art to select a known an Edison-type base and a GU-type base or a DMX network protocol controller or a CAN network protocol controller or a PDA network protocol controller or thermal tape bonding on the basis of its suitability for the intended use as a matter of obvious design choice.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen et al (US 6,580,228) and Sakai et al. (US 6,501,084) are cited to show a light emitting device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (703) 605-4247. The examiner can normally be reached on M-F (7:30 –4:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Application/Control Number: 10/065,320
Art Unit: 2821

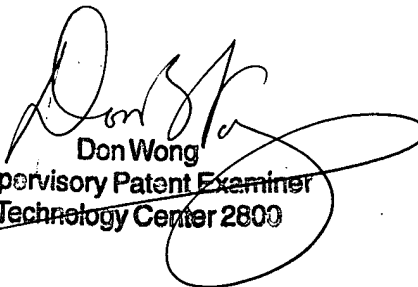
Page 9

Examiner

Minh A

Art unit 2821

12/05/03


Don Wong
Supervisory Patent Examiner
Technology Center 2800